

TEMPORARY

ASSIGNED
Serial No. 56755-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

SEP 17 1991

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed Map filed

The applicant Independence Mining Company, Inc.

Mountain City Star Route of Elko

Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make^s application for permission to change the

State and Zip Code No. point of diversion of a portion

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under permit #47414

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.272 (total from all wells described in #5, below)
Second foot, acre foot. One second foot equals 448.83 gallons per minute.
- The water to be used for mining, milling and domestic (environmental remediation)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for mining, milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point At up to eight selected locations within the
Describe as being within a 40-acre subdivision of public survey and by course and
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T.41N., R.54E., M.D.M., the locus of said wells being a point
distance to a section corner. If on unsurveyed land, it should be stated,
from which the SW corner of said section bears S.23°12'W., 5,026 ft.dist.
- The existing permitted point of diversion is located within SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T.41N., R.54E.,
If point of diversion is not changed, do not answer.
M.D.M., at a point from which the SW corner of said section bears S.70°36'W., 2,640
ft.dist.
- Proposed place of use same as existing
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use NE $\frac{1}{4}$ & NE $\frac{1}{4}$ (Lot 17) Section 4, T.40N., R.54E.; S $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$ and
SE $\frac{1}{4}$ NE $\frac{1}{4}$, all in Sec. Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
33, T.41N., R.54E.; and approximately 6 miles of ore haul road through portions of
manner of use of irrigation permit, describe acreage to be removed from irrigation. Secs. 25, 26 and 35, in T.41N., R.53E.,
and Sections 29, 30, 32 and 33, T.41N., R.54E., M.D.M., all located as shown on map
accompanying application #42687.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) See Page 2
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$50,000.00
- Estimated time required to construct works four months

14. Estimated time required to complete the application of water to beneficial use..... three years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Please send copies of notices and correspondence to the undersigned agent.

By s/William A. Nisbet
421 Court Street
Elko, Nevada 89801

Compared pm/sc pm/sc

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 47414 is issued subject to the terms and conditions imposed in said Permit 47414 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 39881, Certificate 11893, 47148, 47413, 47414, 48175, 50026, 50027, 50028, 54617, 56171-T, 56172-T, 56173-T, 56174-T, 56175-T, 56176-T, 56177-T, 56178-T, 56179-T, 56180-T, 56181-T, 56182-T, 56183-T, 56184-T, 56201-T, 56202-T and 56755-T shall not exceed 5834.9 acre-feet annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.272.....cubic feet per second, but not to exceed 196.8.....
acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 20th day of November

A.D. 19 91

[Signature]
 State Engineer

EXPIRED
DATE NOV 20 1992

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 20, 1992, at which time all rights herein granted shall revert to the right being changed by this temporary permit.



Item 11.

Drilled wells, up to 100' in depth, with casing as described in letter of request for waiver of certain drilling regulations, from Independence Mining Company personnel, submersible pump, pipeline network to collection tank for treatment to remove certain chemical components, then discharge into tailings pond for re-use in mill circuit. These proposed wells are to be installed and operated under the direction of the Nevada Department of Conservation & Natural Resources, Division of Environmental Protection, and for such duration as is deemed to be required to accomplish the remediation.

